



PATENT  
Attorney Docket No. 205071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

White et al.

Application No. 10/045,572

Filed: October 23, 2001

For: RETAINER CLIP FOR MOUNTING  
SINK TO COUNTERTOP

Group Art Unit: 3632

Examiner: Tan Le

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OCT 02 2003  
GROUP 3600

Commissioner for Patents  
Alexandria, VA

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
- the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or*
- the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

#### Copies of the References

- Copies of the references listed on the enclosed Form 1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- A copy of the foreign search report is enclosed herewith.
- The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

**Statement under 37 CFR 1.97(e)**

- The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement. Note that document no. CI corresponds to U.S. patent 5,653,550, which was previously made of record in the application.
- The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 CFR 1.704(d)**

- The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

**Fees**

- No fee** is owed by the applicant(s).  
 The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

**Method of Payment of Fees**

- Attached is a check in the amount of \$ .  
 Charge Deposit Account No. 12-1216 in the amount of \$ . (A duplicate copy of this communication is enclosed for that purpose.)

**Authorization to Charge Additional Fees**

- If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

**Instructions as to Overpayment**

- Credit Account No. 12-1216.  
 Refund



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Date: June 24, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

June 24, 2003



IDS (Rev. 2/1/2001)

Please type a plus sign (+) inside this box →



**Substitute for form 1449A/B/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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1

of

1

**Complete if Known**

Application Number	10/045,572
Filing Date	October 23, 2001
First Named Inventor	White et al.
Group Art Unit	3632
Examiner Name	Tan L
Attorney Docket Number	205071

## **U.S. PATENT DOCUMENTS**

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**3600**

## **FOREIGN PATENT DOCUMENTS**

**OTHER - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No*+

**Examiner Signature**

**Date Considered**

- A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

- + An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).



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**Europäisches  
Patentamt**

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in Den Haag  
Recherchen-  
abteilung

**European  
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The Hague  
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Département à  
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Division de la  
recherche

Bibby, William Mark  
Mathisen, Macara & Co.,  
The Coach House,  
6-8 Swakeleys Road  
Ickenham  
Uxbridge UB10 8BZ  
GRANDE BRETAGNE



Datum/Date  
04.06.03

Zeichen/Ref./Réf.

4/20/E01392EP

Anmeldung Nr./Application No./Demande n°./Patent Nr./Patent No./Brevet n°.  
02254628.7-2303-

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire  
**ELKAY MANUFACTURING COMPANY**

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

abstract

title

The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: 3

## ACCOUNTS GT2

YES /  NO



## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	DE 100 07 550 A (TANNER PETER) 7 September 2000 (2000-09-07) * column 1, line 44 - column 3, line 30; figures 3,4 *	1-5, 17-20	E03C1/33 F16B1/00
Y		6,8,9, 21,23,24	
A	---	13	
Y	DE 198 34 370 C (BLANCO GMBH & CO KG) 30 September 1999 (1999-09-30) * column 5, line 36 - column 6, line 41; figures 1-3 *	6,8,9, 21,23,24	
X	US 3 229 310 A (ENSCH TOM B) 18 January 1966 (1966-01-18)  * the whole document *	1,2,5,6, 9,17-19, 21	
A	---	13	
X	EP 0 709 528 A (FRANKE GMBH ;RAYMOND A GMBH & CO KG (DE)) 1 May 1996 (1996-05-01) * the whole document *	1-4	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
A	---	13,17	F16B E03C A47B
A	AT 393 075 B (OESPAQ OESTERR SANITAER) 12 August 1991 (1991-08-12) * the whole document *	1,13,17	
A	DE 31 10 134 A (THIELMANN AG KG GEB) 14 October 1982 (1982-10-14) * the whole document *	1,13,17	
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The present search report has been drawn up for all claims			

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Place of search	Date of completion of the search	Examiner
MUNICH	9 April 2003	Geisenhofer, M
CATEGORY OF CITED DOCUMENTS		
X : particularly relevant if taken alone	T : theory or principle underlying the invention	
Y : particularly relevant if combined with another document of the same category	E : earlier patent document, but published on, or after the filing date	
A : technological background	D : document cited in the application	
O : non-written disclosure	L : document cited for other reasons	
P : intermediate document	& : member of the same patent family, corresponding document	

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 02 25 4628

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on. The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

09-04-2003

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
DE 10007550	A	07-09-2000	DE	10007550 A1		07-09-2000
DE 19834370	C	30-09-1999	DE EP	19834370 C1 0976881 A2		30-09-1999 02-02-2000
US 3229310	A	18-01-1966		NONE		
EP 0709528	A	01-05-1996	DE AT CZ EP ES US	4437630 C1 201912 T 9502764 A3 0709528 A2 2158023 T3 5653550 A		25-01-1996 15-06-2001 15-05-1996 01-05-1996 01-09-2001 05-08-1997
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